## EXHIBIT D

## **UNITED STATES of AMERICA**

**VS** 

## METHODIST LE BONHEUR HEALTHCARE, et al.

## TIM SMITH March 21, 2023



Jeannie Chaffin, LCR

Chattanooga (423)266-2332 Jackson (731)425-1222 Knoxville (865)329-9919 Nashville (615)595-0073 Memphis (901)522-4477 www.elitereportingservices.com Page 33

- 1 relevant to the opinions you're offering in
- 2 this matter?
- 3 A. Not currently. I am the chair of a new
- 4 organization that is going to be -- that is
- 5 currently now offering a compensation valuation
- 6 credential. It's the only thing in the
- 7 industry. I'm the chair of the credential
- 8 committee.
- 9 Q. Okay. So that may be a new accreditation
- 10 that's available in the future?
- 11 A. Yes, that will be coming. But I
- 12 currently -- no one currently has. We haven't
- 13 even done all the training yet. That's what
- 14 I've got to work on next week, actually.
- 15 Q. As of -- as of now there are no
- 16 accreditations that you hold beyond the ABV
- 17 accreditation relevant to this matter?
- 18 A. Yes.
- 19 Q. You haven't attended law school?
- 20 **A. No.**
- 21 Q. And don't hold yourself out as a legal
- 22 expert, correct?
- 23 A. That's correct.
- 24 Q. And you don't hold any compliance
- 25 certifications?

- 1 became Columbia/HCA. And as part of that, I
  - 2 worked -- I continued working for Medical Care
  - 3 America then through that. Now -- then through

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- 4 Columbia/HCA.
- 5 Q. What positions did you hold when you were
- 6 working at HCA? What were your titles?
- 7 A. Yeah. Well, if I may, just one other --
- 8 to be clear. I want to be clear. So I was an
- 9 independent contractor up until -- I think I
- 10 became an employee roughly in January of
- 11 twenty -- no. 1997. And then I was an
- 12 employee through, I think, the end of August of
- 13 **2008.**
- 14 Q. Okay.
- 15 A. Returning to your question: So I
- 16 originally started as an analyst working for a
- 17 guy at Medical Care America who was working on
- 18 development deals for physician practices and
- 19 IPAs. They were dabbling in that area outside
- 20 of surgery centers. So I was his analyst who
- 21 was analyzing those deals.
- 22 Q. What positions did you hold at HCA after
- 23 the analyst position?
- 24 A. So my title -- as I recall, my title when
- 25 I was an employee during that whole period was

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- 1 A. No, I don't.
- 2 Q. There are -- you're aware that there are
- 3 various compliance certifications that are --
- 4 that are available, correct?
- 5 **A.** Yes.
- 6 Q. And you don't hold any of those?
- 7 A. No.
- 8 Q. Did you go to work at HCA after you left
- 9 Arthur Andersen?
- 10 A. No.
- 11 Would you like for me to give my
- 12 employment history from Arthur Andersen to --
- 13 Q. I'll take the answer of no --
- 14 A. Okay.
- 15 Q. -- for now.
- 16 You worked at HCA from 1994 through
- 17 2008?
- 18 A. Yeah. So here's -- here's the full story
- 19 of that. So I initially was -- I was a temp
- 20 that worked for a company called Medical Care
- 21 America. That started roughly in May of 1994.
- 22 Medical Care America was a surgery-center
- 23 company. That was bought out subsequently that
- 24 fall -- September, October -- by what was
- 25 Columbia. Columbia then merged with HCA,

- 1 manager of development.
- 2 Q. Okay.
- 3 A. I think was my title. I don't know if it
- 4 got bumped up to director of development. I
- 5 can't recall at the moment.
- 6 Q. Okay.
- 7 A. But I was in the development department.
- 8 Q. During the time you were at HCA?
- 9 A. Yes.
- 10 Q. Okay. In your report you note that you
- 11 also served as an ethics and compliance
- 12 officer. Was that a formal title that you held
- 13 at HCA?
- 14 A. That was a designation. My recollection
- 15 of that is that it was a designation that
- 16 certain people had. And this emerged post-CIA.
- 17 As you know, HCA -- or I assume you know, HCA
- 18 was under CIA from about early 2001 through --
- 19 I think it went through 2007 with the
- 20 United States. And as part of that --
- 21 obviously they had a CIA -- CIA means corporate
- 22 integrity agreement. Those are common in
- 23 settlements.
- 24 HCA had to develop a rather robust,
- 25 detailed, highly formal structure for

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